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2007 BILL

SA✓

regen. cat.

- 1 AN ACT *to amend* 119.04 (1); and *to create* 118.19 (13) and 118.57 of the statutes;
- 2 relating to: online courses for elementary and secondary school pupils and
- 3 granting rule-making authority.

reasonable

Analysis by the Legislative Reference Bureau

* This bill directs the Department of Public Instruction (DPI) to develop online courses and make them available for a fee to school districts, cooperative educational service agencies, charter schools, and private schools. DPI must also establish instructional standards for online courses.

The bill directs each school board to do all of the following:

1. Determine which pupils may enroll in an online course, which online courses are available, and the number of online courses a pupil may take.
2. Provide a safe and secure online environment, ensure the confidentiality of pupil coursework and records, and verify the authenticity of pupil coursework.
3. Assign an appropriately licensed teacher for each online course and ensure that pupils in grades kindergarten to eight who are enrolled in online courses have face-to-face contact with the teacher at least 25 percent of the time.
4. Determine the average equivalency hours for online courses.
5. Ensure that only pupils who reside in this state enroll in online courses.

Finally, the bill provides that beginning July 1, 2013, no person may teach an online course in a public or charter school unless he or she has completed a professional development program, approved by DPI, that is designed to prepare a teacher for online teaching.

direct

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 118.19 (13) of the statutes is created to read:

2 118.19 (13) Beginning July 1, 2013, no person may teach an online course in
3 a public school or charter school unless he or she has completed a professional
4 development program, approved by the department, that is designed to prepare a
5 teacher for online teaching.

✓
6 **SECTION 2.** 118.57 of the statutes is created to read:

7 **118.57 Online courses. (1) DEPARTMENT DUTIES.** The department shall do all
8 of the following:

9 (a) Develop online courses and make them available for a fee to school districts,
10 cooperative educational service agencies, and charter schools and private schools
11 located in this state.

12 (b) Establish instructional standards for all online courses taken by pupils
13 enrolled in public schools and charter schools, including standards addressing all of
14 the following:

- 15 1. The frequency of communication between the pupil and the teacher.
16 2. The assessment of pupil progress.
17 3. Methods to measure pupil participation.

18 (c) Develop and make available to school boards an online survey designed to
19 assess a pupil's readiness for online learning and instructional materials designed
20 to improve a pupil's chance of success in online courses.

21 (d) Promulgate rules to implement and administer this section.

BILL

1 (2) SCHOOL BOARD DUTIES. Each school board shall do all of the following:

2 (a) Determine which pupils may enroll in an online course, which online
3 courses are available for enrollment, and the number of online courses a pupil may
4 enroll in. The school board may not use parental involvement as a criterion in

5 determining whether a pupil may enroll in an online course.

6 (b) Provide a safe and secure online environment and ensure that coursework
7 and records of pupils enrolled in online courses remain confidential.

8 (c) Assign an appropriately licensed teacher for each online course.

9 (d) Verify the authenticity of pupil coursework in online courses.

10 (e) Determine the average equivalency hours for online courses.

11 (f) Ensure that all pupils enrolled in online courses reside in this state.

12 (g) Ensure that pupils in grades kindergarten to 8 who are enrolled in online
13 courses have ~~face-to-face~~ ^{direct} contact with the teacher assigned to the course at least 25
14 percent of the time.

15 (h) Adopt a policy on acceptable use of the Internet and communicate it to
16 pupils, parents, and teachers.

17 **SECTION 3.** 119.04 (1) of the statutes is amended to read:

18 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
19 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
20 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07,
21 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162,
22 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245,
23 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 118.57, 120.12 (5)
24 and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35),

BILL

1 (37), ~~(37m)~~ and (38), 120.14, and 120.25 are applicable to a 1st class city school
2 district and board.

3 (END)

D-note

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

3144/2

PG: bjk:

Date

(IN)

Sana -

Upon further reflection, ^{decided} I decide that
the addition of "reasonable" on
page 2, line 9 would be OK.

PG

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3144/2dn
PG:bjk:rs

November 26, 2007

Sara-

Upon further reflection, I decided that the addition of "reasonable" on page 2, line 9 would be ok.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

Grant, Peter

From: Dauscher, Sara
Sent: Wednesday, January 02, 2008 1:37 PM
To: Grant, Peter
Subject: LRB-3144

Hi Peter,

I have some changes for LRB-3144 and thought that it might be easier to communicate them in writing. Please call if you'd like clarification on anything here or have other questions. I've talked with Jennifer Kammerud with DPI on this so hopefully any issues you've worked out with her on this can apply here as well.

- p.2, line 9: Delete "develop" and replace with "make available"
- p.2, line 3 and 13 remove references to charter school(s) as these are public schools.
- p.2, line 18: Delete "develop and"
- p.2, line 15: Change to read "pupil-teacher contact"
- New Item: Make sure the bill is cross-referenced to charter school statutes so these requirements apply to charter schools.
- New Item: Make sure requirements apply to 2(r) charters as well.
- ✓ - p.3, line 13 to a minimum of two hours per week that school is in session for full-time virtual students, or 20 minutes per course for part-time.
- ✓ - New Item: Beginning in 2009-2010 fund full-time open enrollment to virtual charter schools at 50% of the open enrollment amount.
- New Item: A definition for "virtual charter schools"—that will be necessary, I assume. Something to the effect of "A virtual charter school is a charter school that provides an online learning program in which students enroll and earn credit towards academic advancement based on the successful completion of the course(s) provided by the school." (same as DPI)
- New Item: Moratorium on new virtual charter schools until the 2009-2010 school year.
- ✓ - New Item: language that addresses the court case (similar to DPI's) incl. licensure (Current virtual school teachers may teach without the professional development requirement until July 1, 2013.)

As you probably could have guessed, the Senator would like to have these changes as soon as possible. It's his top priority right now.

Thanks again,
Sara

Sara S. Dauscher
Office of Senator John Lehman
310 South, State Capitol
Madison, WI 53708

608.266.1832

3144/13

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Inserts

SA ✓
X-ref ✓

rcgen.

- 1 **AN ACT to renumber and amend** 118.40 (3) (c); **to amend** 118.19 (1), 118.40 (2r)
- 2 (bm), 118.40 (2r) (c) 1., 118.40 (2r) (d) 1., 118.51 (3) (a) 2., 118.51 (5) (a) 1., 119.04
- 3 (1) and 121.02 (1) (a) 2.; and **to create** 115.001 (16), 118.19 (13), 118.40 (2r) (c)
- 4 4., 118.40 (2r) (g), 118.40 (4) (d), 118.40 (8) and 118.57 of the statutes; **relating**
- 5 **to:** virtual charter schools, online courses for elementary and secondary school
- 6 pupils, and granting rule-making authority.

Until July 1, 2013

Analysis by the Legislative Reference Bureau

* * Under current law, any person who teaches in a public school, including a charter school, must hold a teaching license or permit issued by the Department of Public Instruction (DPI). This bill exempts from this requirement any person who teaches in a virtual charter school ~~in existence on the bill's effective date~~. The bill defines a virtual charter school as a charter school that provides an online learning program.

* Current law provides that a charter school established by a school board must be located in the school district; ~~an independent charter school established by the city of Milwaukee, the University of Wisconsin-Milwaukee, or the Milwaukee Area Technical College must be located in the city of Milwaukee; and an independent charter school established by the University of Wisconsin-Parkside must be located in a unified school district that is located in the county in which the University of Wisconsin-Parkside is situated or in an adjacent county.~~ This bill provides that ~~these~~ restrictions do not apply to virtual charter schools.

this

does

In general, current law provides that only pupils who reside in the school district in which an independent charter school is located may attend the charter school. This bill exempts virtual charter schools from this restriction.

Beginning in the 2009–10 school year, the bill provides that if a school board establishes or contracts for the establishment of a virtual charter school, the school board must ensure that no more than 10 percent of the pupils attending the virtual charter school do so through the Open Enrollment Program. The bill prohibits a school board that establishes or contracts for the establishment of a virtual charter school for the attendance of pupils during the 2008–09 school year from allowing more pupils to attend the school through the Open Enrollment Program during the 2008–09 school year than the number that attended the school through that program in the 2007–08 school year. The bill prohibits a school board or any other entity authorized to establish a charter school from establishing or contracting for the establishment of a new virtual charter school that opens for the attendance of pupils before the 2009–10 school year.

The bill directs DPI to make online courses available for a reasonable fee, through a statewide web academy, to school districts, cooperative educational service agencies, charter schools, and private schools. DPI must also establish instructional standards for online courses taken by pupils enrolled in public and charter schools.

The bill directs each school board (or chartering entity, if other than a school board) to do all of the following:

1. Determine which pupils may enroll in an online course, which online courses are available, and the number of online courses a pupil may take.
2. Provide a safe and secure online environment, ensure the confidentiality of pupil coursework and records, and verify the authenticity of pupil coursework.
3. Except for teachers in virtual charter schools in existence on the bill's effective date, assign an appropriately licensed teacher for each online course.
4. Ensure that pupils in grades kindergarten to eight who are enrolled in online courses have direct contact with the teacher, on each day that school is scheduled, for at least two hours or at least 20 minutes for each online course in which the pupil is enrolled, whichever is less.
5. Determine the average equivalency hours for online courses.
6. Ensure that only pupils who reside in this state enroll in online courses.

The bill provides that beginning July 1, 2013, no person may teach an online course in a public or charter school unless he or she has completed a professional development program, approved by DPI, that is designed to prepare a teacher for online teaching.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 115.001 (16) VIRTUAL CHARTER SCHOOL. "Virtual charter school" means a charter
2 school that provides an online learning program.

3 SECTION 2. 118.19 (1) of the statutes is amended to read:

4 118.19 (1) Any person seeking to teach in a public school, including a charter
5 school, or in a school or institution operated by a county or the state shall first procure
6 a license or permit from the department. This subsection does not apply to any
7 virtual charter school in existence on the effective date of this subsection.... [revisor

8 inserts date:

unt. 1 July 1, 2013

9 SECTION 3. 118.19 (13) of the statutes is created to read:

10 118.19 (13) Beginning July 1, 2013, no person may teach an online course in
11 a public school, including a charter school, unless he or she has completed a
12 professional development program, approved by the department, that is designed to
13 prepare a teacher for online teaching.

14 SECTION 4. 118.40 (2r) (bm) of the statutes is amended to read:

15 118.40 (2r) (bm) The common council of the city of Milwaukee, the chancellor
16 of the University of Wisconsin-Milwaukee, and the Milwaukee area technical college
17 district board may only establish or enter into a contract for the establishment of a
18 charter school located in the school district operating under ch. 119. The chancellor
19 of the University of Wisconsin-Parkside may only establish or enter into a contract
20 for the establishment of a charter school located in a unified school district that is
21 located in the county in which the University of Wisconsin-Parkside is situated or
22 in an adjacent county. This paragraph does not apply to the establishment of a
23 virtual charter school.

24 SECTION 5. 118.40 (2r) (c) 1. of the statutes is amended to read:

1 118.40 (2r) (c) 1. Except as provided in subd. subds. 3. and 4., only pupils who
2 reside in the school district in which a charter school established under this
3 subsection is located may attend the charter school.

4 **SECTION 6.** 118.40 (2r) (c) 4. of the statutes is created to read:

5 118.40 (2r) (c) 4. A pupil may attend a virtual charter school established under
6 this subsection regardless of the pupil's school district of residence.

7 **SECTION 7.** 118.40 (2r) (d) 1. of the statutes is amended to read:

8 118.40 (2r) (d) 1. Ensure that all instructional staff of charter schools under
9 this subsection hold a license or permit to teach issued by the department. This
10 subdivision does not apply to any virtual charter school in existence on the effective
11 date of this subdivision ... [revisor inserts date].

12 **SECTION 8.** 118.40 (2r) (g) of the statutes is created to read:

13 118.40 (2r) (g) If a charter school is established under this subsection, the
14 chartering or contracting entity under par. (b) 1. is responsible for discharging the
15 duties under s. 118.57 (2).

16 **SECTION 9.** 118.40 (3) (c) of the statutes is renumbered 118.40 (3) (c) 1. and
17 amended to read:

18 118.40 (3) (c) 1. A school board may not enter into a contract for the
19 establishment of a charter school located outside the school district, except that if 2
20 or more school boards enter into an agreement under s. 66.0301 to establish a charter
21 school, the charter school shall be located within one of the school districts, and if one
22 or more school boards enter into an agreement with the board of control of a
23 cooperative educational service agency to establish a charter school, the charter
24 school shall be located within the boundaries of the cooperative educational service

1 agency. This subdivision does not apply to the establishment of a virtual charter
2 school.

3 2. A school board may not enter into a contract that would result in the
4 conversion of a private, sectarian school to a charter school.

5 **SECTION 10.** 118.40 (4) (d) of the statutes is created to read:

6 118.40 (4) (d) *Virtual charter schools.* Beginning in the 2009–10 school year,
7 if a school board establishes or contracts for the establishment of a virtual charter
8 school, the school board shall ensure that no more than 10 percent of the pupils
9 attending the virtual charter school do so through open enrollment under s. 118.51.

10 **SECTION 11.** 118.40 (8) of the statutes is created to read:

11 118.40 (8) LOCATION OF VIRTUAL CHARTER SCHOOLS. For the purposes of sub. (7)
12 (a), (am) 1., and (ar), a virtual charter school is considered to be located in the
13 following school district:

14 (a) If a school board establishes or contracts with a person to establish the
15 virtual charter school, in the school district governed by that school board.

16 (b) If the common council of the city of Milwaukee, the chancellor of the
17 University of Wisconsin–Milwaukee, or Milwaukee Area Technical College
18 establishes or contracts with a person to establish the virtual charter school, in the
19 school district operating under ch. 119.

20 **SECTION 12.** 118.51 (3) (a) 2. of the statutes is amended to read:

21 118.51 (3) (a) 2. A nonresident school board may not act on any application
22 received under subd. 1. until after the 3rd Friday following the first Monday in
23 February. If Except as provided in s. 118.40 (4) (d), if a nonresident school board
24 receives more applications for a particular grade or program than there are spaces
25 available in the grade or program, the nonresident school board shall determine

1 which pupils to accept, including pupils accepted from a waiting list under sub. (5)
2 (d), on a random basis, after giving preference to pupils and to siblings of pupils who
3 are already attending public school in the nonresident school district. If a
4 nonresident school board determines that space is not otherwise available for open
5 enrollment pupils in the grade or program to which an individual has applied, the
6 school board may nevertheless accept an applicant who is already attending school
7 in the nonresident school district or a sibling of the applicant.

8 **SECTION 13.** 118.51 (5) (a) 1. of the statutes is amended to read:

9 118.51 (5) (a) 1. The availability of space in the schools, programs, classes, or
10 grades within the nonresident school district. In determining the availability of
11 space, the nonresident school board shall comply with the limit under s. 118.40 (4)
12 (d) and may consider criteria such as class size limits, pupil-teacher ratios, or
13 enrollment projections established by the nonresident school board and. The
14 nonresident school board may include in its count of occupied spaces pupils attending
15 the school district for whom tuition is paid under s. 121.78 (1) (a) and pupils and
16 siblings of pupils who have applied under sub. (3) (a) and are already attending
17 public school in the nonresident school district.

18 **SECTION 14.** 118.57 of the statutes is created to read:

19 **118.57 Online courses.** (1) DEPARTMENT DUTIES. The department shall do all
20 of the following:

21 (a) Make online courses available for a reasonable fee, through a statewide web
22 academy, to school districts, cooperative educational service agencies, and charter
23 schools and private schools located in this state.

(b) Establish instructional standards for all online courses taken by pupils enrolled in public schools, including charter schools, including standards addressing all of the following:

1. The frequency, length, and type of pupil-teacher contact.
2. The assessment of pupil progress.
3. Methods to measure pupil participation.

(c) Make available to school boards an online survey designed to assess a pupil's readiness for online learning and instructional materials designed to improve a pupil's chance of success in online courses.

(d) Promulgate rules to implement and administer this section.

(2) SCHOOL BOARD DUTIES. Each school board shall do all of the following:

(a) Determine which pupils may enroll in an online course, which online courses are available for enrollment, and the number of online courses a pupil may enroll in. The school board may not exclude a pupil from an online course solely because the pupil's parent or guardian will not participate in the online course.

(b) Provide a safe and secure online environment and ensure that coursework and records of pupils enrolled in online courses remain confidential.

(c) Except as provided under ss. 118.19 (1), ~~118.40 (2)~~ and 121.02 (1) (a) 2., assign an appropriately licensed teacher for each online course.

(d) Verify the authenticity of pupil coursework in online courses.

(e) Determine the average equivalency hours for online courses.

(f) Ensure that all pupils enrolled in online courses reside in this state.

(g) Ensure that pupils in grades kindergarten to 8 who are enrolled in online courses have direct contact with a teacher, ~~on each day~~ ^{week} that school is scheduled, for

at least 2 hours or at least 20 minutes for each online course in which the pupil is enrolled, whichever is less.

(h) Adopt a policy on acceptable use of the Internet and communicate it to pupils, parents, and teachers.

SECTION 15. 119.04 (1) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 118.57, 120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, and 120.25 are applicable to a 1st class city school district and board.

SECTION 16. 121.02 (1) (a) 2. of the statutes is amended to read:

121.02 (1) (a) 2. Ensure that all instructional staff of charter schools located in the school district, other than virtual charter schools ~~in existence on the effective date of this subdivision~~ reviser inserts date, hold a license or permit to teach issued by the department. The state superintendent shall promulgate rules defining "instructional staff" for purposes of this subdivision.

SECTION 17. Nonstatutory provisions; virtual charter schools.

(1) In this subsection, "virtual charter school" has the meaning given in section 115.001 (16) of the statutes, as created by this act.

✓
1 (2) A school board or entity specified in section 118.40 (2r) (b) 1. of the statutes
2 may not establish or contract for the establishment of a new virtual charter school
3 that opens for the attendance of pupils before the 2009–10 school year.

4 (3) Notwithstanding section 118.51 (3) (a) 2. and (5) (a) 1. of the statutes, a
5 school board that establishes or contracts for the establishment of a virtual charter
6 school for the attendance of pupils during the 2008–09 school year may not allow
7 more pupils to attend the school through the Open Enrollment Program under
8 section 118.51 of the statutes during the 2008–09 school year than the number of
9 such pupils who attended the school through that program during the 2007–08
10 school year.

11 ~~(END)~~



LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Beginning in the 2009-10 school year[✓]
(no #) the bill provides that the ^(a) amount of the state aid adjustment for pupil attending a virtual charter school through the Open Enrollment Program is 50 percent[✓] of the amount determined for other pupils[✓]

end insert A

5-19

X

Section #. 118.51 (2) of the statutes is amended to read:

a charter school

- ✓ 118.51 (2) APPLICABILITY. A pupil may attend a public school, including a prekindergarten, 4-year-old kindergarten, ^{or} early childhood or school-operated day care program, in a nonresident school district under this section, except that a pupil may attend a prekindergarten, 4-year-old kindergarten, ^{or} early childhood or school-operated day care program in a nonresident school district only if the pupil's resident school district offers the same type of program that the pupil wishes to attend and the pupil is eligible to attend that program in his or her resident school district.

History: 1997 a. 27, 41, 164; 1999 a. 117, 118; 2001 a. 16, 104; 2003 a. 55; 2005 a. 258.

end insert 5-19

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

G-17

SEC. # CR. 118.51 (16) (b) 30

118.51 (16) (b) 3. Notwithstanding subds 10 and 20, if nonresident pupils attend a virtual charter school under this section, the multiplier under subds 10 and 20 is 50 percent of the amount determined under par. (a) 3.

10 and 20, if nonresident pupils attend a virtual charter school under this section, the multiplier under subds 10 and 20 is 50 percent of the amount an amount equal to determined under par. (a) 3.

SEC. # CR. 118.51 (18) (CS)
118.51 (18) LOCATION OF VIRTUAL CHARTER SCHOOLS.
For the purposes of this

section, a virtual charter school is located in the school district specified in s. 118.40 (8) (a)

end insert 6-17

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

8-20

; are beginning on July 1, ~~2009~~

2013

ensure that all instructional staff ofvirtual charter schools located in theschool districts as specified ins. 118.40 (8), ^{hold} hold a license orpermit to teach issued by thedepartment

2005

Nonstat File Sequence: **EEE**

LRB 3144 / 3

PG : bjk :

INITIAL APPLICABILITY

- In the component bar:
For the action phrase, execute: create → action: → *NS: → inappl
For the budget action phrase, execute: create → action: → *NS: → 93XX
For the text, execute: create → text: → *NS: → inappl
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

SECTION # [93]. Initial applicability;

Q (#1) () ← not

The treatment of sections ..

118.51 (16) (b) 30 and (18)

..... of the statutes
first applies to state aid adjustments made under
section 118.51 (16) of the statutes in the
2009-10 school year. End ✓

- In the component bar:
For the action phrase, execute: create → action: → *NS: → inappl
For the text, execute: create → text: → *NS: → inapplA
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

SECTION # . Initial applicability;

(#1) () This act first
applies to

D-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3708/P1dn
PG:bjk:wnw

January 2, 2008

Date

LRB-3144/3
PG:bjk

Senator Lehman

Jennifer

week

1. For online courses, the draft requires a certain amount of pupil-teacher contact "on each day that school is scheduled." As I mentioned, the draft does not explain what that means for a virtual charter school.

2. You may wish to clarify that "public school" in s. 118.51 (2) includes charter schools.

3. This draft does not address issues relating to truancy for pupils attending a virtual charter school. ✓

4. This draft does not affect s. 118.40 (2r) (e) 2., which requires DPI to make a payment to the Racine Unified School District if UW-Parkside establishes a charter school. Do you want to eliminate such payments if UW-Parkside establishes a virtual charter school?

5. This draft exempts a person who is teaching in a virtual charter school in existence on the bill's effective date from state licensure requirement. The draft also provides that beginning July 1, 2013, no person may teach an online course in a public (including charter) school unless he or she has completed a professional development program approved by DPI. These two provisions are inconsistent. Under the draft, beginning in the 2013-14 school year, a person seeking to teach in a virtual charter school (that existed when the bill took effect) will be exempt from licensure requirements but will be required to complete a DPI-approved professional development program.

6. As described above, this draft exempts a person who is teaching in a virtual charter school in existence on the bill's effective date from state licensure requirements. In your initial instructions, however, you stated that the draft should require a school board or chartering entity to assign an appropriately licensed teacher for each online course. In order to reconcile these two provisions, the draft exempts virtual charter schools in existence on the bill's effective date from this requirement. OK?

Insert
DN.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

(DN)

At your request, I deleted the creation of s. 118.40(2r)(c)4. and the amendment of s. 118.40(2r)(d)1. Note, however, the potential for a (2r) virtual charter school being established before this bill becomes law.

PG

end insert DN

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3144/3dn
PG:bjk:pg

January 4, 2008

Senator Lehman:

1. For online courses, the draft requires a certain amount of pupil-teacher contact "each week that school is scheduled." The draft does not explain what that means for a virtual charter school.
2. This draft does not address issues relating to truancy for pupils attending a virtual charter school.
3. This draft does not affect s. 118.40 (2r) (e) 2., which requires DPI to make a payment to the Racine Unified School District if UW-Parkside establishes a charter school. Do you want to eliminate such payments if UW-Parkside establishes a virtual charter school?

At your request, I deleted the creation of s. 118.40 (2r) (c) 4. and the amendment of s. 118.40 (2r) (d) 1. Note, however, the potential for a (2r) virtual charter school being established before this bill becomes law.

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Grant, Peter

From: Dauscher, Sara
Sent: Monday, January 07, 2008 11:38 PM
To: Grant, Peter
Subject: lrb 3144

Hi Peter,

I have just a couple more changes for the bill.

- ✓ - our intent was not to allow teachers in virtual schools to go without licenses until 2013, but to not require the professional development certification until 2013. The licensure provision should be changed to say that this subsection does not apply to any virtual charter school until July 1, 2009 (consistent with DPI's version of the bill)
- ✓ - instead of requiring 2 hours of direct contact per week, change to require 30 minutes of instruction per ~~day~~ ^{week} that school is in session
- ✓ - instead of requiring the direct contact for grades k-8, require it for all k-12
- ✓ - also, much like dpi's language, require that a certain percentage of students reside in the home district of the virtual charter school. however, in this bill, the percentage required would be 15% from in-district (dpi's bill would require 90%)

Thanks again for all your work on this.

S

Grant, Peter

From: Dauscher, Sara
Sent: Tuesday, January 08, 2008 11:49 AM
To: Grant, Peter
Subject: one more thing for LRB 3144

Sen. Lehman would also like to include a new item that requires contract provisions for virtual education services to be reported to the school board.

made available to public

Thanks again, Peter,
Sara

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